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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH FLEMING and JOHN DOE,)
)
Plaintiffs,)
)
vs.) No. C04-2338RSM
)
THE CORPORATION OF THE)
PRESIDENT OF THE CHURCH OF)
JESUS CHRIST OF LATTER-DAY)
SAINTS, a Utah corporation)
sole, a/k/a the "MORMON)
CHURCH," LDS SOCIAL SERVICES,)
a/k/a LDS FAMILY SERVICES,)
a Utah corporation,)
)
Defendants.)

VIDEOTAPED DEPOSITION OF JACK A. ONEFREY

January 27, 2006

Seattle, Washington

Byers & Anderson, Inc.

Court Reporters/Video/Videoconferencing

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Exhibit **A**

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1 Q Did you ever tell Chelsey Wieder that you had had sex
2 with more than 250 children in your life?

3 A No.

4 Q Never made that statement?

5 A No.

6 Q Never said anything like that to her?

7 A No.

8 Q Did you ever go to LDS Social Services for sexual
9 deviancy counseling or treatment?

10 A Yes.

11 Q Okay. About what time period?

12 A Probably -- I'm really not sure on that.

13 Q But it was while you were in the Kent 2nd Ward in the
14 1970s?

15 A Yes.

16 Q Okay. And you were referred there by a bishop?

17 MR. WOLFE: We're going to object,
18 assert privilege.

19 Q (By Mr. Kosnoff) You were referred to or sent to LDS
20 Social Services by Bishop Borland, isn't that correct?

21 MR. WOLFE: Assert privilege.

22 Q (By Mr. Kosnoff) When you went to LDS Social Services,
23 you told them about your -- you were truthful about
24 your sexual contact with children, weren't you?

25 A Yes.

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1 MR. WOLFE: Assert privilege.

2 THE WITNESS: Oh, sorry.

3 Q (By Mr. Kosnoff) And that was the reason you were
4 there, was to discuss your sexual deviant attractions
5 to children; isn't that correct?

6 MR. WOLFE: Assertion of privilege.

7 MR. KOSNOFF: What's the basis of
8 the privilege?

9 MR. WOLFE: It's the privilege we've
10 discussed earlier, Mr. Kosnoff, the priest-penitent
11 privilege. Based upon my understanding of the church
12 law, there is a legitimate basis to assert privilege
13 here.

14 MR. KOSNOFF: So what you're saying
15 is him going to LDS -- the social service wing of the
16 church, that you're asserting the clergy-penitent
17 privilege with respect to his communications with
18 social service workers? Is that --

19 MR. WOLFE: Based upon my
20 understanding of the law of the Mormon Church, yes.

21 MR. FREY: With social services he
22 has a privilege, Counsel, besides that
23 physician-patient, which covers psychologists,
24 psychiatrists and everyone else.

25 Q (By Mr. Kosnoff) How many -- how long a period of time

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1 did you go to LDS Social Services for sexual deviancy
2 treatment?

3 A About a year.

4 Q About a year? Did it do any good?

5 A Yes.

6 Q Did LDS Social Services to your knowledge ever report
7 you to the police or Child Protective Services?

8 A No idea.

9 MR. FREY: Excuse me. His answer
10 was "I have no idea"?

11 THE REPORTER: (Nodding.)

12 MR. FREY: Thank you.

13 Q (By Mr. Kosnoff) Did you ever have a discussion with
14 LDS Social Services about the fact that CPS or the
15 police would have to be notified?

16 MR. WOLFE: Objection, assert
17 privilege.

18 Q (By Mr. Kosnoff) Were you ever contacted by the police
19 or LDS Social Services after the period that you were
20 going to LDS Social Services?

21 MR. WOLFE: Object and assert
22 privilege as it relates to the LDS Social Services
23 program. You can answer with respect to police.

24 MR. KOSNOFF: Whether he was
25 contacted by the police or CPS?

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1 MR. WOLFE: You didn't say CPS, Tim.
2 You said LDS Social Services.

3 MR. KOSNOFF: Repeat the question.

4 (Question on Page 140, Line 18
5 read by the reporter.)
6

7 MR. WOLFE: Object as it relates to
8 LDS Social Services. You can answer with respect to
9 were you contacted by police, but not as it relates to
10 LDS Social Services.

11 MR. KOSNOFF: If I understand your
12 objection, you're objecting to whether or not he was
13 contacted by the police after the period of time that
14 he was at LDS Social Services?

15 MR. WOLFE: That's not what I said
16 at all.

17 MR. FREY: He's not saying that.

18 MR. WOLFE: You asked a compound
19 question, and I'm breaking it down into was he
20 contacted by the police, not contacted by the police
21 or LDS Social Services.

22 Q (By Mr. Kosnoff) Were you contacted by the police or
23 CPS following the period of time that you were going to
24 LDS Social Services?

25 A What is the CPS?

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1 Q Child Protective Services, State of Washington.

2 A No.

3 Q After you went to LDS Social Services, you returned and
4 participated in the Kent 2nd Ward scouting program,
5 isn't that true?

6 A Just as a volunteer for picking up -- that
7 transportation thing.

8 Q As a volunteer. Did you work as a volunteer with the
9 scouts in the ward during the time of Bishop Coleman?

10 A I think I just helped out.

11 Q Did you go on campouts when you helped out?

12 A I don't remember.

13 Q During -- going back to my question, were you helping
14 out as a volunteer during the period of time when
15 Bishop Coleman was bishop?

16 A I think so.

17 Q And were you volunteering and helping out during the
18 time when Bishop Pettit was bishop?

19 A I think I did.

20 Q And did that include going on campouts?

21 A I don't know for sure because we're talking about a
22 long period of time.

23 Q Okay. Approximately a five or six year period of time,
24 aren't we?

25 A I really can't say. I'm -- you're getting me all

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1 we're trying to establish.

2 MR. NASH: Well, then we'll wait and
3 reserve the issue.

4 Q (By Mr. Kosnoff) What was the -- what was the time
5 period that you went to -- the one year that you were
6 going to LDS Social Services?

7 A I can't remember when that was.

8 (Mr. Frey enters.)
9

10 Q (By Mr. Kosnoff) Was it -- how soon after you were
11 removed as scoutmaster -- assistant scoutmaster in
12 February of 1973?

13 A I really can't remember the -- the date.

14 Q But was it soon after that?

15 A I have two recollections, and I really don't know.

16 Q Okay. Let's talk about the first recollection you
17 have. What is the first recollection you have?

18 A That I might have gone right after Bishop Borland.

19 Q And the second recollection?

20 A It might have been after that sometime somewhere.

21 Q Do you think there may have been more than two times
22 you went to LDS Social Services, that is, two separate
23 periods of counseling?

24 A I only went one period, but I don't know where in
25 the...

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1 Q From the time that you started going to LDS Social
2 Services, were you also prevented from taking sacrament
3 in the church?

4 A There was a time.

5 Q Was it about the same time period?

6 A Well, it -- it started right away.

7 Q Not being permitted to take sacrament?

8 A Right. I wasn't worthy to take it.

9 Q Did anybody in the congregation speak to you or comment
10 about the fact that you were not taking sacrament?

11 A No.

12 Q After you returned from LDS Social Services, did you
13 continue to molest children?

14 A I didn't hear that.

15 Q After the one year period of time that you spent at LDS
16 Social Services, did you continue to molest children in
17 the Kent 2nd Ward?

18 A Not for a long time.

19 Q How long a period of time did you go without molesting
20 children?

21 A That I'm not sure.

22 Q What's your -- who is the first person you recall
23 molesting after you went to LDS Social Services?

24 A Rickie Allenbach.

25 Q Okay. Now, there's been testimony in this case that

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